

INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION FORM

Originating Person: Chris Cline
Telephone Number: (801) 524-5001 x. 145
Date: October 4, 2007

- I. Region: 6
- II. Service Activity (Program): **Ecological Services**, Endangered Species
- III. Pertinent Species and Habitat:

A. Listed species and/or their critical habitat within the action area: Threatened species, "Ute lady's tresses" (*Spiranthes diluvialis*), does not occur in the action area. Bald eagle (*Haliaeetus leucocephalus*) recently de-listed, also does not occur in the action area.

B. Proposed species and/or proposed critical habitat within the action area: None

C. Candidate species within the action area: Yellow-billed cuckoo (*Coccyzus americanus*); does not occur in the action area.

D. Include species/habitat occurrence on a map. N/A

- IV. Geographic Area or Station Name and Action:

Utah Ecological Services Field Office

"Draft Restoration Plan and Environmental Action Statement (Draft RP/EAS) for the Preservation, Restoration and Management of the Lakepoint Wetlands Site, Tooele County, Utah"

This project is a compensatory wetlands restoration project being conducted as part of a settlement of a claim for Natural Resource Damages that has been brought by the U.S. Department of Justice, acting on behalf of the Service and the U.S. Department of Interior, against Kennecott Utah Copper Corporation (KUCC), for natural resource damages alleged by the Service to have occurred at the North Zone Wetlands, located adjacent to KUCC's smelter and refining facility, in Salt Lake County, Utah. See Attachment 1, Executive Summary for the Draft RP/EAS.

- V. Location (attach map):

A. Ecoregion Number and Name: (6) Interior Basin

B. County and State: Tooele County, Utah

C. Section, township, and range (or latitude and longitude): 40° 40' 05.03" N latitude, 112° 18' 18.32" W longitude

D. Distance (miles) and direction to nearest town: 2.2 miles S-SE to Stansbury Park, Tooele County, Utah.

E. Species/habitat occurrence: See Section III above. Project area does not contain habitat for Ute lady's tresses or yellow-billed cuckoo.

VI. Description of Proposed Action (attach additional pages as needed): See Attachment 1, Executive Summary for the Draft RP/EAS

VII. Determination of Effects:

A. Explanation of effects of the action on species and critical habitats in items III. A, B, and C (attach additional pages as needed): none; species do not occur

B. Explanation of actions to be implemented to reduce adverse effects: N/A

VIII. Effect Determination and Response Requested: [* = optional]

A. Listed species/designated critical habitat: None; See Section III

Determination

Response Requested

no effect/no adverse modification

(species: none; see Section III)

X *Concurrence

may affect, but is not likely to adversely affect
species/adversely modify critical habitat
(species: _____)

_____ Concurrence

may affect, and is likely to adversely affect
species/adversely modify critical habitat
(species: _____)

_____ Formal
Consultation

B. Proposed species/proposed critical habitat

Determination

Response Requested

no effect on proposed species/no adverse
modification of proposed critical habitat
(species: none; see Section III)

X *Concurrence

is likely to jeopardize proposed species/adversely
modify proposed critical habitat
(species: _____)

___Conference

C. Candidate species:

Determination

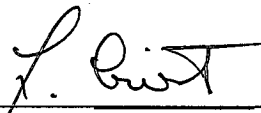
Response Requested

no effect
(species: none; see Section III)

X *Concurrence

is likely to jeopardize candidate species
(species: _____)

___Conference



Larry Crist
Field Supervisor

9/10/07

Date

IX. Reviewing ESO Evaluation:


A. Concurrence X Nonconcurrence _____

B. Formal Consultation Required _____

C. Conference Required _____

D. Informal Conference Required _____

E. Remarks (attach additional pages as needed):



Signature
Reviewing Official

11/1/07

Date

Re Section 7 coordinator